

IN THE CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA
RECEIVED
MAY 02 2005

MELVIN LOWE,)

Plaintiff/Petitioner,)

vs.)

MONTGOMERY COUNTY BOARD)

OF EDUCATION; VICKIE JERNIGAN,)

MARK LaBRANCHE, TOMMIE)

MILLER, MARY BRIERS, DAVE)

BORDEN, HENRY A. SPEARS and)

BEVERLY ROSS, in their official)

capacities as members of the)

Montgomery County Board of Education;))

and Dr. CARLINDA PURCELL, in her)

official capacity as Superintendent of the)

Montgomery County Board of)

Education,)

Defendant/Respondent.)

SUPT'S OFFICE

CIVIL ACTION NO: CV-05-1048

PLAINTIFF DEMANDS TRIAL BY
JURY ON ALL ISSUES TRIABLE BY
A JURY.

FILED
CIRCUIT COURT OF
MONTGOMERY COUNTY
2005 APR 27 PM 3:36

COMPLAINT AND PETITION FOR MANDAMUS

COMES NOW Plaintiff/Petitioner Melvin Lowe files this complaint against the above Defendants/Respondent Montgomery County Board of Education and its Board members and Superintendent in their official capacity and states as follows:

1. Plaintiff/Petitioner Melvin Lowe is an adult resident of Montgomery County, Alabama.
2. The Montgomery County Board of Education (hereinafter "the Board") is a governmental entity located in Montgomery County, Alabama and authorized to provide public educational services for Kindergarten through 12th Grade Students of Montgomery County, Alabama.
3. a. Vickie Jernigan is a Board member for the Montgomery County Board of Education at all times material to this suit.

b. Mark LaBranche is a Board member for the Montgomery County Board of Education at all times material to this suit.

c. Tommie Miller is a Board member for the Montgomery County Board of Education at all times material to this suit.

d. Mary Briers is a Board member for the Montgomery County Board of Education at all times material to this suit.

e. Dave Borden is a Board member for the Montgomery County Board of Education at all times material to this suit.

f. Henry A. Spears is a Board member for the Montgomery County Board of Education at all times material to this suit.

g. Beverly Ross is a Board member for the Montgomery County Board of Education at all times material to this suit.

h. Dr. Carlinda Purcell is the Superintendent for the Montgomery County Board of Education.

These individuals are sued in their official capacity only.

4. This complaint seeks damages pursuant to claims under Federal and State Law as well as injunctive and declaratory relief. This suit further seeks a petition for mandamus.

5. From 1999 to 2002, Plaintiff Lowe was employed with the Montgomery County Board of Education. At the end of 2002, Lowe was non-renewed from the Montgomery County Board of Education and denied tenure. Lowe has sought jobs with the school system to continue his work and was denied those additional positions. Lowe worked the 2002-2003 school year in the Bullock County School System and had a position in that school system for the 2003/2004 school

year.

6. In the Summer of 2003, Lowe sought positions from the Montgomery County Board of Education and was denied positions. In the Fall of 2003, Lowe interviewed with Montgomery County Board of Education for a position posted as Reading Coach. He was told the position with the Montgomery County Board of Education was to be a Reading Coach. He was led to believe by decision makers with the Montgomery County Board of Education that the position would be as a Reading Coach. He was qualified to hold this position. Representations were made by officials with the Montgomery County Board of Education to the Bullock County Board of Education in order for him to be released from his Bullock County contract so that he could move to Montgomery County to be a Reading Coach. Since his return in October 2003 to the Montgomery County Board of Education, he performed the job of a Reading Coach, and he has been arbitrarily and capriciously denied pay for that position as a Reading Coach. The Board promogates policies and pay schedules for certain positions and Lowe has been paid a wage and contract lower than what would be required for his position and the policies of the Montgomery County Board of Education. Lowe has given notice to management of the Montgomery County Board of Education of his objection to this pay. Upon information and belief, Plaintiff Lowe believes that it was the intention of the then-Superintendent Carter and management with the Montgomery County Board of Education that Plaintiff Lowe not receive or ever receive a position above a classroom nine-month teacher. Since the Fall of 2003, Mr. Lowe has repeatedly applied for positions and promotions in the school system and been repeatedly denied those promotions, even though he was qualified for those positions. In the Summer of 2004 and within 180 days of filing his complaint with the EEOC, Lowe applied for a position at McGhee Junior High, and he was chosen for this position by the Principal at McGhee

Junior High. It is the custom and practice of the Montgomery County Board of Education to hire the person recommended by the principal.

Upon information and belief of Lowe the then-Superintendent Carter and/or management of Montgomery County Board of Education refused to hire Lowe for that position which would have been an Administrative Assistant Position for the 2004-2005 school year and would have been an increase in pay and a promotion. A female was hired for this position and it was communicated to Lowe that the Superintendent and/or management of Montgomery County Board of Education decided that a female rather than a male should be hired for the Administrative Assistant position, due to her gender. Lowe was qualified for this position. Although, another principal in the Montgomery County School System wished to hire Lowe as a SIA or Title I position, Montgomery County Board of Education refused to promote him to that position. This would have been an increase in pay and promotion. In that instance the School filled the position with the female rather than follow the wishes of the principal. The position was filled by Central Office Management before the position had finished posting.

7. Lowe's mother filed an EEOC complaint against the school system prior to Lowe seeking these positions, and to the information and belief of Lowe, the Montgomery County Board of Education has refused to hire him with these promotions, provide tenure, and pay properly for position of Reading Coach due to his association with his mother and his objections regarding his treatment with the system.

8. His classifications as the Reading Coach as far as pay was arbitrary and capricious in that he was paid a lesser amount than the policy of the School Board to pay such persons performing the duties of such a Reading Coach. Since his filing of his EEOC complaint, the Board

has refused to grant him leave for Professional Development even though his Principal, who he currently works for, has approved this leave. This damages his ability to develop professionally in his career.

9. In one instance the Montgomery County Board of Education hired an Administrative Assistant over Lowe who was not currently certified in Administration as Lowe was. This variance was made purportedly because the principal recommended the hiring of this individual; however the then-Superintendent Carter and management of the Montgomery County Board of Education would not provide jobs to Lowe for positions he was qualified to hold when he was recommended by the principal wanting to hire him. The person hired in this particular instance was a female.

10. Plaintiff Lowe has filed a timely charge of discrimination with the Equal Employment Opportunity Commission against Defendants, complaining of Discrimination and Retaliation and has received a Statutory Right-to-Sue letter which is attached hereto as "Exhibit A".

11. Plaintiff has exhausted his administrative remedies and satisfied all jurisdictional requirements prior to filing this action under Title VII of the Civil Rights Act of 1964, 42 USC §2003, et seq.

COUNT I

12. Plaintiff/Petitioner realleges, reavers, and readopts by reference the proceeding paragraphs of this complaint as if filly set out herein.

13. Defendant Montgomery County Board of Education is the employer of Plaintiff within the definition of Title VII, 42 USC §2000e, et seq., as amended.

14. Defendant Montgomery County Board of Education unlawfully and intentionally discriminated against Plaintiff in reference to compensation, promotions, tenure, classifications and

other terms and conditions of employment because of his sex, gender, and/or race, in violation of Title VII, 42 USC §2000e, et seq., as amended.

15. Defendant Montgomery County Board of Education unlawfully and intentionally retaliated against Plaintiff by denial of tenure, denial of proper pay, denial of promotions, and leave for filing an EEOC complaint and opposing discriminatory practices by Defendant, Montgomery County Board of Education in violation of Title VII, 42 USC §2000e, et seq., as amended, and due to his association with someone who filed an EEOC complaint.

16. Plaintiff has suffered as a proximate cause of the violation of Title VII as alleged herein economic loss, lost wages, mental anguish and other compensatory damages.

17. Defendant Montgomery County Board of Education has a pattern of practice against discriminating against males and/or African-Americans in its employment, promotion and work assignments.

Wherefore, Plaintiff respectfully requests this Honorable Court to provide the following relief against Defendant Montgomery County Board of Education.

a. Issue declaratory judgment finding that said Defendants' actions set out above violated 42 USC §2000e et seq., as amended.

b. Enter a mandatory and permanent injunction to enjoin said Defendant and its successors, agents, servants and employees for discriminating on the basis of retaliation, race or sex in their employment practices, in their compensation, terms and conditions, and privileges of employment in violation of 42 USC §2000e, et seq., as amended, and to enter appropriate order in equity to remedy discrimination of Defendant Montgomery County Board of Education in the compensation, privileges and conditions of employment of Plaintiff and to remedy past retaliation

and to prevent further retaliation as described above.

c. Plaintiff requests Court to assign backpay, seniority, tenure status, retirement benefits, allowances to Plaintiff that he would have been entitled to absent retaliation and discrimination, as well as to assign appropriate promotion that he would have been entitled to in absence of discrimination and retaliation.

d. Enter an order requiring said Defendant to make Plaintiff whole by granting appropriate declaratory injunctive relief, compensatory, nominal and punitive damages, including an award for emotional distress, backpay, attorney's fees, expenses and costs in an amount to be determined by the trier of fact.

e. Grant such additional and further relief as scored deemed proper and just under the circumstances.

COUNT II

18. Plaintiff/Petitioner hereby realleges, reavers, and adopts by reference as set out fully herein all material allegations contained in the preceding paragraphs of this complaint.

19. Defendant Montgomery County Board of Education through the final policy maker and through the custom, practice and policies have intentionally, under the color of law in violation of 42 USC §1983, deprived Plaintiff of clearly established statutory and/or constitutional rights under the First and Fourteenth Amendment of the United States Constitution by subjecting him to retaliation for the exercise of free speech and for his association with his mother and in discriminatory employment practices based upon sex and/or race, in the pay provided to Plaintiff, denial of tenure to Plaintiff, denial of promotions, denial of professional leave and on other terms and conditions of his employment, and in creating arbitrary and capricious classifications with regard

to his pay and others performing similar work.

WHEREFORE, PREMISES CONSIDERED, Plaintiff/Petitioner Melvin Lowe seeks to recover against Defendant Montgomery County Board of Education compensatory and punitive damages, plus back pay plus interest and injunctive relief and re-declaratory relief, costs and attorney's fees.

COUNT III

20. Plaintiff/Petitioner hereby realleges, reavers, and adopts by reference as set out fully herein all material allegations contained in the preceding paragraphs of this complaint.

21. Defendant Montgomery County Board of Education, Board Members, and the Superintendent promogated certain policies pursuant to their authority for the governance of the Montgomery County Board of Education. Those policies involve salary schedule placement and policies for the pay for certain positions performed by employees of the system.

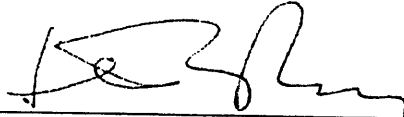
22. Plaintiff avers that Defendants violated these policies through the payment of Plaintiff for a Reading Coach position. Plaintiff is not paid the same wages as others for the similar work in accordance with the policies and in accordance with the policies of Defendants. Plaintiff brings this action in equity and as a writ of mandamus to order Defendants to conform to such policies and to provide declaratory and equitable relief regarding past violations of such policies.

23. Due to Defendants' violations of said policies, Plaintiff has been injured and damaged, and may suffer future damages unless no perspective declaratory and injunctive relief is granted.

WHEREFORE, PREMISES CONSIDERED, Plaintiff/Petitioner Melvin Lowe respectfully requests this Honorable Court to grant writ of mandamus and/or declaratory and injunctive relief requiring that Plaintiff be paid pursuant to the policies and schedules of Defendant

for a Reading Coach position and that this order be made retroactive for prior years where Plaintiff was not properly paid.

Submitted this the 27th day of April, 2005.




WILLIAM F. PATTY (PAT038)
Attorney for Plaintiff Melvin Lowe

OF COUNSEL:
BEERS, ANDERSON, JACKSON,
PATTY, & VAN HEEST, P.C.
P. O. Box 1988
250 Commerce Street, Suite 100
Montgomery, AL 36102
(334) 834-5311
(334) 834-5362 (fax)

JURY DEMAND

PLAINTIFF DEMANDS TRIAL BY JURY ON ALL ISSUES TRIABLE BY A JURY.



OF COUNSEL

**DEFENDANTS MAY BE SERVED VIA CERTIFIED MAIL, RETURN RECEIPT
REQUESTED AS FOLLOWS:**

Montgomery County Board of Education
307 South Decatur Street
Montgomery, AL 36104

Vickie Jernigan
c/o Montgomery County Board of Education
307 South Decatur Street
Montgomery, AL 36104

Mark LaBranche
c/o Montgomery County Board of Education
307 South Decatur Street
Montgomery, AL 36104

Tommie Miller
c/o Montgomery County Board of Education
307 South Decatur Street
Montgomery, AL 36104

Mary Briers
c/o Montgomery County Board of Education
307 South Decatur Street
Montgomery, AL 36104

Dave Borden
c/o Montgomery County Board of Education
307 South Decatur Street
Montgomery, AL 36104

Henry A. Spears
c/o Montgomery County Board of Education
307 South Decatur Street
Montgomery, AL 36104

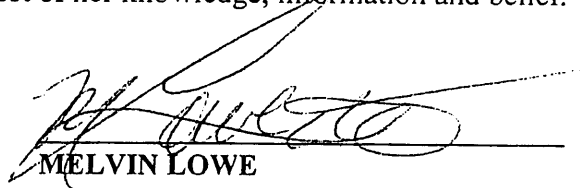
Beverly Ross
c/o Montgomery County Board of Education
307 South Decatur Street
Montgomery, AL 36104

Dr. Carlinda Purcell
c/o Montgomery County Board of Education
307 South Decatur Street
Montgomery, AL 36104

VERIFIED COMPLAINT

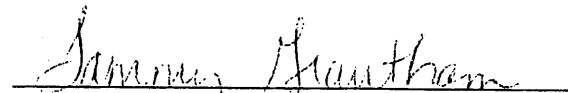
STATE OF ALABAMA)
)
MONTGOMERY COUNTY)

Before me, the undersigned authority, personally appeared **MELVIN LOWE**, who being by me first duly sworn and who being known to me deposes and says that the facts set out in the foregoing Complaint are true and correct to the best of her knowledge, information and belief.



MELVIN LOWE

Sworn to and subscribed before me this 27 day of April, 2005.



NOTARY PUBLIC MY COMMISSION EXPIRES SEPTEMBER 3, 2007
My Commission Expires: _____

EEOC Form 161 (10/96)

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

DISMISSAL AND NOTICE OF RIGHTS

To: Melvin A. Lowe, III
9536-Colleton Place
Montgomery, AL 36117

From: Birmingham District Office
Ridge Park Place
1130 22nd Street South
Birmingham, AL 35205

[] On behalf of person(s) aggrieved whose identity is
CONFIDENTIAL (29 CFR § 1601.7(a))

Charge No.

EEOC Representative

Telephone No.

130 2004 03906

Arthur McGhee, Supervisor

(205) 212-2067

THE EEOC IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING REASON:

- [] The facts alleged in the charge fail to state a claim under any of the statutes enforced by the EEOC.
- [] Your allegations did not involve a disability that is covered by the Americans with Disabilities Act.
- [] The Respondent employs less than the required number of employees or is not otherwise covered by the statutes.
- [] We cannot investigate your charge because it was not filed within the time limit required by law.
- [] Having been given 30 days in which to respond, you failed to provide information, failed to appear or be available for interviews/conferences, or otherwise failed to cooperate to the extent that it was not possible to resolve your charge.
- [] While reasonable efforts were made to locate you, we were not able to do so.
- [] You had 30 days to accept a reasonable settlement offer that afford full relief for the harm you alleged.
- [X] The EEOC issues the following determination: Based upon its investigation, the EEOC is unable to conclude that the information obtained establishes violations of the statutes. This does not certify that the respondent is in compliance with the statutes. No finding is made as to any other issues that might be construed as having been raised by this charge.
- [] The EEOC has adopted the findings of the state or local fair employment practices agency that investigated this charge.
- [] Other (briefly state)

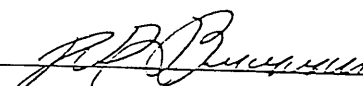
- NOTICE OF SUIT RIGHTS -

(See the additional information attached to this form.)

Title VII, the Americans with Disabilities Act, and/or the Age Discrimination in Employment Act: This will be the only notice of dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on this charge in federal or state court. Your lawsuit must be filed WITHIN 90 DAYS from your receipt of this Notice; otherwise, your right to sue based on this charge will be lost. (The time limit for filing suit based on a state claim may be different.)

Equal Pay Act (EPA): EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that back pay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.

On behalf of the Commission


Bernice William-Kimbrough, District Director

(Date Mailed)



Enclosure(s)

cc:

**INFORMATION RELATED TO FILING SUIT
UNDER THE LAWS ENFORCED BY THE EEOC**

*(This information relates to filing suit in Federal or State court under Federal law.
If you also plan to sue claiming violations of State law, please be aware that time limits and other
provisions of State law may be shorter or more limited than those described below.)*

**PRIVATE SUIT RIGHTS -- Title VII of the Civil Rights Act, the Americans with Disabilities Act (ADA),
or the Age Discrimination in Employment Act (ADEA):**

In order to pursue this matter further, you must file a lawsuit against the respondent(s) named in the charge within 90 days of the date you receive this Notice. Therefore, you should **keep a record of this date**. Once this 90-day period is over, your right to sue based on the charge referred to in this Notice will be lost. If you intend to consult an attorney, you should do so promptly. Furthermore, in order to avoid any question that you did not act in a timely manner, it is prudent that your suit be filed **within 90 days of the date this Notice was mailed to you** (as indicated where the Notice is signed).

Your lawsuit may be filed in U.S. District Court or a State court of competent jurisdiction. (Usually, the appropriate State court is the general civil trial court.) Whether you file in Federal or State court is a matter for you to decide after talking to your attorney. Filing this Notice is not enough. You must file a "complaint" that contains a short statement of the facts of your case which shows that you are entitled to relief. Your suit may include any matter alleged in the charge or, to the extent permitted by court decisions, matters like or related to the matters alleged in the charge. Generally, suits are brought in the State where the alleged unlawful practice occurred, but in some cases can be brought where relevant employment records are kept, where the employment would have been, or where the respondent has its main office. If you have simple questions, you usually can get answers from the office of the clerk of the court where you are bringing suit, but do not expect that office to write your complaint or make legal strategy decisions for you.

PRIVATE SUIT RIGHTS -- Equal Pay Act (EPA):

EPA suits must be filed in court within 2 years (3 years for willful violations) of the alleged EPA underpayment: back pay due for violations that occurred **more than 2 years (3 years) before you file suit** may not be collectible. For example, if you were underpaid under the EPA for work performed from 7/1/96 to 12/1/96, you should file suit before 7/1/98 -- not 12/1/98 -- in order to recover unpaid wages due for July 1996. This time limit for filing an EPA suit is separate from the 90-day filing period under Title VII, the ADA or the ADEA referred to above. Therefore, if you also plan to sue under Title VII, the ADA or the ADEA, in addition to suing on the EPA claim, suit must be filed within 90 days of this Notice and within the 2- or 3-year EPA back pay recovery period.

ATTORNEY REPRESENTATION -- Title VII and the ADA:

If you cannot afford or have been unable to obtain a lawyer to represent you, the U.S. District Court having jurisdiction in your case may, in limited circumstances, assist you in obtaining a lawyer. Requests for such assistance must be made to the U.S. District Court in the form and manner it requires (you should be prepared to explain in detail your efforts to retain an attorney). Requests should be made well before the end of the 90-day period mentioned above, because such requests do not relieve you of the requirement to bring suit within 90 days.

ATTORNEY REFERRAL AND EEOC ASSISTANCE -- All Statutes:

You may contact the EEOC representative shown on your Notice if you need help in finding a lawyer or if you have any questions about your legal rights, including advice on which U.S. District Court can hear your case. If you need to inspect or obtain a copy of information in EEOC's file on the charge, please request it promptly in writing and provide your charge number (as shown on your Notice). While EEOC destroys charge files after a certain time, all charge files are kept for at least 6 months after our last action on the case. Therefore, if you file suit and want to review the charge file, **please make your review request within 6 months of this Notice**. (Before filing suit, any request should be made within the next 90 days.)

IF YOU FILE SUIT, PLEASE SEND A COPY OF YOUR COURT COMPLAINT TO THIS OFFICE.



alacourt.com's

Alabama SJIS Case Detail

EXHIBIT B

Settings

Parties

Case Action Summary

Witness List

Financial

Case							
County	03	Case Number	CV 2005 001048 00	JID	TSM	Trial	J
Style	MELVIN LOWE VS MONTGOMERY BOARD OF EDUCATION ET AL						
Code	CVRT	Type	CIVIL RIGHTS	Filed	04272005	Track	
Amount		Status	ACTIVE	Plaintiffs	001	Defendants	009
DJID		Court Action	00000000			For	
Damages-Comp		Damages-Pun		Damages-Gen		No Damages	
Trial Days		Lien					
Settings							
Date 1		Que 1		Time 1		Description	
Date 2		Que 2		Time 2		Description	
Date 3		Que 3		Time 3		Description	
Date 4		Que 4		Time 4		Description	
Cont Date		Why				Cont #	
RevJmt		Admin Date		Why			
Appeal Date		CRT		Case	0000 000000 00		
TBNV1		TBNV2		DSDT		DTYP	
Comment 1							
Comment 2							
Party 1							
Party	C 001	Name	LOWE MELVIN	Type	INDIVIDUAL		
INDX	D/BRD OF ED	ANAM		JID	TSM		
SSN		Address 1		Sex			
DOB		Address 2		Race			
Country	US	City	AL 00000 0000	Phone	334 000 0000		
Atty 1	PATTY WILLIAM F	Atty 2		Atty 3	Atty 4		
Atty 5		Atty 6					
Issued		Type		Reissue	Type		
Return		Type		Return	Type		
Service		Type		Serv On	By		
Answer		Type		NS Not	NA Not		
Warrant		Type		Arrest			
CACT		Date		For	Exep		
AMT		Cost		Other	Satisfied		
Comment							
Party 2							
Party	D 001	Name	BOARD OF EDUCATION MONTGOMERY COUNTY	Type	GOVERNMENT		
INDX	P/LOWE MELVIN	ANAM		JID	TSM		
SSN		Address 1	307 S DECATUR ST	Sex			
DOB		Address 2		Race			
Country	US	City	MONTGOMERY AL 36104 0000	Phone	334 000 0000		
Atty 1	PRO SE	Atty 2		Atty 3	Atty 4		
Atty 5		Atty 6					
Issued	04292005	Type	C CERTIFIED MAI	Reissue	Type		
Return		Type		Return	Type		
Service	05022005	Type	C CERTIFIED MAI	Serv On	By		
Answer		Type		NS Not	NA Not		
Warrant		Type		Arrest			
CACT		Date		For	Exep		
AMT		Cost		Other	Satisfied		
Comment							
Party 3							
Party	D 002	Name	JERNIGAN VICKIE	Type	INDIVIDUAL		
INDX	P/LOWE MELVIN	ANAM		JID	TSM		
SSN		Address 1	MGM BOARD OF EDUCATION	Sex			
DOB		Address 2	307 S DECATUR ST	Race			
Country	US	City	MONTGOMERY AL 36104 0000	Phone	334 000 0000		

Atty 1	PRO SE	Atty 2		Atty 3		Atty 4	
Atty 5		Atty 6					
Issued	04292005	Type	C CERTIFIED MAI	Reissue		Type	
Return		Type		Return		Type	
Service	05022005	Type	C CERTIFIED MAI	Serv On		By	
Answer		Type		NS Not		NA Not	
Warrant		Type		Arrest			
CACT		Date		For		Exep	O
AMT		Cost		Other		Satisfied	
Comment							

Party 4

Party	D 003	Name	LABRANCHE MARK	Type	INDIVIDUAL		
INDX	P/LOWE MELVIN	ANAM		JID	TSM		
SSN		Address 1	MGM BOARD OF EDUCATION	Sex			
DOB		Address 2	307 S DECATUR ST	Race			
Country	US	City	MONTGOMERY AL 36104 0000	Phone	334 000 0000		
Atty 1	PRO SE	Atty 2		Atty 3		Atty 4	
Atty 5		Atty 6					
Issued	04292005	Type	C CERTIFIED MAI	Reissue		Type	
Return		Type		Return		Type	
Service	05022005	Type	C CERTIFIED MAI	Serv On		By	
Answer		Type		NS Not		NA Not	
Warrant		Type		Arrest			
CACT		Date		For		Exep	O
AMT		Cost		Other		Satisfied	
Comment							

Party 5

Party	D 004	Name	MILLER TOMMIE	Type	INDIVIDUAL		
INDX	P/LOWE MELVIN	ANAM		JID	TSM		
SSN		Address 1	MGM BOARD OF EDUCATION	Sex			
DOB		Address 2	307 S DECATUR ST	Race			
Country	US	City	MONTGOMERY AL 36104 0000	Phone	334 000 0000		
Atty 1	PRO SE	Atty 2		Atty 3		Atty 4	
Atty 5		Atty 6					
Issued	04292005	Type	C CERTIFIED MAI	Reissue		Type	
Return		Type		Return		Type	
Service	05022005	Type	C CERTIFIED MAI	Serv On		By	
Answer		Type		NS Not		NA Not	
Warrant		Type		Arrest			
CACT		Date		For		Exep	O
AMT		Cost		Other		Satisfied	
Comment							

Party 6

Party	D 005	Name	BRIERS MARY	Type	INDIVIDUAL		
INDX	P/LOWE MELVIN	ANAM		JID	TSM		
SSN		Address 1	MGM BOARD OF EDUCATION	Sex			
DOB		Address 2	307 S DECATUR ST	Race			
Country	US	City	MONTGOMERY AL 36104 0000	Phone	334 000 0000		
Atty 1	PRO SE	Atty 2		Atty 3		Atty 4	
Atty 5		Atty 6					
Issued	04292005	Type	C CERTIFIED MAI	Reissue		Type	
Return		Type		Return		Type	
Service	05022005	Type	C CERTIFIED MAI	Serv On		By	
Answer		Type		NS Not		NA Not	
Warrant		Type		Arrest			
CACT		Date		For		Exep	O
AMT		Cost		Other		Satisfied	
Comment							

Party 7

Party	D 006	Name	BORDEN DAVE	Type	INDIVIDUAL		
INDX	P/LOWE MELVIN	ANAM		JID	TSM		
SSN		Address 1	MGM BOARD OF EDUCATION	Sex			
DOB		Address 2	307 S DECATUR ST	Race			
Country	US	City	MONTGOMERY AL 36104 0000	Phone	334 000 0000		
Atty 1	PRO SE	Atty 2		Atty 3		Atty 4	

Atty 5		Atty 6			
Issued	04292005	Type	C CERTIFIED MAI	Reissue	Type
Return		Type		Return	Type
Service	05022005	Type	C CERTIFIED MAI	Serv On	By
Answer		Type		NS Not	NA Not
Warrant		Type		Arrest	
CACT		Date		For	Exep O
AMT		Cost		Other	Satisfied
Comment					
Party 8					
Party	D 007	Name	SPEARS HENRY A		Type INDIVIDUAL
INDX	P/LOWE MELVIN	ANAM		JID	TSM
SSN		Address 1	MGM BOARD OF EDUCATION		Sex
DOB		Address 2	307 S DECATUR ST		Race
Country	US	City	MONTGOMERY AL 36104 0000		Phone 334 000 0000
Atty 1	PRO SE	Atty 2		Atty 3	Atty 4
Atty 5		Atty 6			
Issued	04292005	Type	C CERTIFIED MAI	Reissue	Type
Return		Type		Return	Type
Service	05022005	Type	C CERTIFIED MAI	Serv On	By
Answer		Type		NS Not	NA Not
Warrant		Type		Arrest	
CACT		Date		For	Exep O
AMT		Cost		Other	Satisfied
Comment					
Party 9					
Party	D 008	Name	ROSS BEVERLY		Type INDIVIDUAL
INDX	P/LOWE MELVIN	ANAM		JID	TSM
SSN		Address 1	MGM BOARD OF EDUCATION		Sex
DOB		Address 2	307 S DECATUR ST		Race
Country	US	City	MONTGOMERY AL 36104 0000		Phone 334 000 0000
Atty 1	PRO SE	Atty 2		Atty 3	Atty 4
Atty 5		Atty 6			
Issued	04292005	Type	C CERTIFIED MAI	Reissue	Type
Return		Type		Return	Type
Service	05022005	Type	C CERTIFIED MAI	Serv On	By
Answer		Type		NS Not	NA Not
Warrant		Type		Arrest	
CACT		Date		For	Exep O
AMT		Cost		Other	Satisfied
Comment					
Party 10					
Party	D 009	Name	PURCELL DR CARLINDA		Type INDIVIDUAL
INDX	P/LOWE MELVIN	ANAM		JID	TSM
SSN		Address 1	MGM BOARD OF EDUCATION		Sex
DOB		Address 2	307 S DECATUR ST		Race
Country	US	City	MONTGOMERY AL 36104 0000		Phone 334 000 0000
Atty 1	PRO SE	Atty 2		Atty 3	Atty 4
Atty 5		Atty 6			
Issued	04292005	Type	C CERTIFIED MAI	Reissue	Type
Return		Type		Return	Type
Service	05022005	Type	C CERTIFIED MAI	Serv On	By
Answer		Type		NS Not	NA Not
Warrant		Type		Arrest	
CACT		Date		For	Exep O
AMT		Cost		Other	Satisfied
Comment					

Case Action Summary

Date	Time Code	Comments	Operator
04292005	0831	FILE FILED THIS DATE: 04/27/2005 (AV01)	KAR
04292005	0831	STAT CASE ASSIGNED STATUS OF: ACTIVE (AV01)	KAR
04292005	0831	TDMJ JURY TRIAL REQUESTED (AV01)	KAR
04292005	0831	ASSJ ASSIGNED TO JUDGE: TRACEY S MCCOOEY (AV01)	KAR
04292005	0831	ORIG ORIGIN: INITIAL FILING (AV01)	KAR
04292005	0831	PART LOWE MELVIN ADDED AS C001 (AV02)	KAR

04292005 0831	ATTY	LISTED AS ATTORNEY FOR C001: PATTY WILLIAM F(AV02)	KAR
04292005 0832	PART	BOARD OF EDUCATION MONTGOMERY COUNTY ADDED AS D001	KAR
04292005 0832	SUMM	CERTIFIED MAI ISSUED: 04/29/2005 TO D001 (AV02)	KAR
04292005 0832	ATTY	LISTED AS ATTORNEY FOR D001: PRO SE (AV02)	KAR
04292005 0833	PART	JERNIGAN VICKIE ADDED AS D002 (AV02)	KAR
04292005 0833	SUMM	CERTIFIED MAI ISSUED: 04/29/2005 TO D002 (AV02)	KAR
04292005 0833	ATTY	LISTED AS ATTORNEY FOR D002: PRO SE (AV02)	KAR
04292005 0833	PART	LABRANCHE MARK ADDED AS D003 (AV02)	KAR
04292005 0833	ATTY	LISTED AS ATTORNEY FOR D003: PRO SE (AV02)	KAR
04292005 0833	SUMM	CERTIFIED MAI ISSUED: 04/29/2005 TO D003 (AV02)	KAR
04292005 0833	PART	MILLER TOMMIE ADDED AS D004 (AV02)	KAR
04292005 0833	SUMM	CERTIFIED MAI ISSUED: 04/29/2005 TO D004 (AV02)	KAR
04292005 0833	ATTY	LISTED AS ATTORNEY FOR D004: PRO SE (AV02)	KAR
04292005 0833	PART	BRIERS MARY ADDED AS D005 (AV02)	KAR
04292005 0833	SUMM	CERTIFIED MAI ISSUED: 04/29/2005 TO D005 (AV02)	KAR
04292005 0833	ATTY	LISTED AS ATTORNEY FOR D005: PRO SE (AV02)	KAR
04292005 0834	PART	BORDEN DAVE ADDED AS D006 (AV02)	KAR
04292005 0834	SUMM	CERTIFIED MAI ISSUED: 04/29/2005 TO D006 (AV02)	KAR
04292005 0834	ATTY	LISTED AS ATTORNEY FOR D006: PRO SE (AV02)	KAR
04292005 0834	PART	SPEARS HENRY A ADDED AS D007 (AV02)	KAR
04292005 0834	ATTY	LISTED AS ATTORNEY FOR D007: PRO SE (AV02)	KAR
04292005 0834	SUMM	CERTIFIED MAI ISSUED: 04/29/2005 TO D007 (AV02)	KAR
04292005 0834	PART	ROSS BEVERLY ADDED AS D008 (AV02)	KAR
04292005 0834	SUMM	CERTIFIED MAI ISSUED: 04/29/2005 TO D008 (AV02)	KAR
04292005 0834	ATTY	LISTED AS ATTORNEY FOR D008: PRO SE (AV02)	KAR
04292005 0835	PART	PURCELL DR CARLINDA ADDED AS D009 (AV02)	KAR
04292005 0835	SUMM	CERTIFIED MAI ISSUED: 04/29/2005 TO D009 (AV02)	KAR
04292005 0835	ATTY	LISTED AS ATTORNEY FOR D009: PRO SE (AV02)	KAR
05102005 1553	SERC	SERVICE OF CERTIFIED MAI ON 05/02/2005 FOR D009	JAG
05102005 1554	SERC	SERVICE OF CERTIFIED MAI ON 05/02/2005 FOR D008	JAG
05102005 1555	SERC	SERVICE OF CERTIFIED MAI ON 05/02/2005 FOR D007	JAG
05102005 1556	SERC	SERVICE OF CERTIFIED MAI ON 05/02/2005 FOR D006	JAG
05102005 1557	SERC	SERVICE OF CERTIFIED MAI ON 05/02/2005 FOR D005	JAG
05102005 1558	SERC	SERVICE OF CERTIFIED MAI ON 05/02/2005 FOR D004	JAG
05102005 1558	SERC	SERVICE OF CERTIFIED MAI ON 05/02/2005 FOR D003	JAG
05102005 1559	SERC	SERVICE OF CERTIFIED MAI ON 05/02/2005 FOR D002	JAG
05102005 1559	SERC	SERVICE OF CERTIFIED MAI ON 05/02/2005 FOR D001	JAG